

JAN 19 2024

AO 91 (Rev. 08/09) Criminal Complaint

Mark C. McCartt, Clerk
U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT

for the

Northern District of Oklahoma

United States of America)
v.)
LUIS GERARDO TREJO-ZAMBRANO)

Case No. 27-MJ-45-02FILED UNDER SEAL

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 16, 2023 in the county of Tulsa in the
Northern District of Oklahoma, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. §§ 922(n) and 924(a)(1) (D)	Transport of a Firearm while under Indictment
18 U.S.C. §§ 922(g)(1) and 924(a) (8)	Felon in possession of a Firearm
26 U.S.C. §§ 5861(d) and 5871	Possession of a NFA Firearm (Silencer) Which Has Not Been Registered to Him in the National Firearms Registration and Transfer Record

This criminal complaint is based on these facts:

See Attached Affidavit by

☒ Continued on the attached sheet.


Complainant's signature

Special Agent Ben Nechiporenko, ATF
Printed name and title

Sworn to before me by phone.

Date:

January 19, 2024


Judge's signature

City and state: Tulsa, OK

Christine D. Little United States Magistrate Judge
Printed name and title

**Affidavit in Support of an Arrest Warrant
in the Northern District of Oklahoma**

I, Special Agent Ben Nechiporenko, being duly sworn under oath, do hereby depose and state:

INTRODUCTION AND AGENT BACKGROUND

1. I have been employed as a Special Agent in Tulsa, Oklahoma since 2022. I am currently assigned to the Dallas Field Division, Tulsa Field Office with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). As a result of my employment with ATF, my duties include, but are not limited to, the investigation and enforcement of illegal use, possession, and trafficking of firearms, criminal organizations and gangs, arson, and illegal use and possession of explosives.

2. Prior to my tenure as an ATF Special Agent, I was a sworn law enforcement officer employed with the West Fargo Police Department in North Dakota from October 2012 to January 2022. During my employment with the West Fargo Police Department, my primary assignments included: Patrol Officer with the Patrol Division, Detective for the Metro Street Crimes Unit with the Special Investigations Division, Task Force Officer and Team Leader with the U.S. Marshals Service Fugitive Task Force, and Patrol Sergeant with the Patrol Division. My training included over 1,250 hours of Police Officer Standards & Training (POST) approved training hours with an emphasis in gangs and narcotics enforcement. I served nine years with the Army National Guard as a Combat Engineer and received an Honorable Discharge at the

rank of Sergeant. I received a Bachelor of Science Degree in Criminal Justice from North Dakota State University in 2011.

3. As part of my duties as an ATF Special Agent, I investigate criminal violations in the Northern District of Oklahoma to include Title 18 U.S.C. §§ 922(n) and 924(a)(1)(D)- Transport Firearm while under Indictment, Title 18 U.S.C. §§ 922(g)(1) and 924(a)(8)- Felon in Possession of Firearm, and Title 26 U.S.C. §§ 5861(d) and 5871 Possession of a NFA Firearm (Silencer) Which Has Not Been Registered in the National Firearms Registration and Transfer Record and Title 26 U.S.C. §§ 5861(j) and 5871- Transport of a NFA Firearm (Silencer) in Interstate Commerce Which Has Not Been Registered in the NFRTR.

4. The facts and statements in this affidavit are based in part on information provided by other law enforcement officers and in part on my personal observations and training and experience as a Special Agent for the Bureau of Alcohol, Tobacco, Firearms, and Explosives. This Affidavit is for the limited purpose of establishing probable cause to support the Criminal Complaint, it contains only a summary of relevant facts. I have not included each and every fact known to me concerning the entities, individuals, and the events described in this Affidavit. The statements made in this Affidavit are based in part on: (a) my personal participation in this investigation; (b) information provided to me by other law enforcement officers; and (c) the training and experience of myself and other law enforcement agents and officers.

5. Between September 15, 2023, and through September 16, 2023, Luis Gerardo TREJO-ZAMBRANO (DOB XX-XX-2001) violated Title 18 U.S.C. §§ 922(n) and

924(a)(1)(D)- Transport of a Firearm while under Indictment, Title 18 U.S.C. §§ 922(g)(1) and 924(a)(8)- Felon in Possession of a Firearm, and Title 26 U.S.C. §§ 5861(d) and 5871- Possession of a NFA Firearm (Silencer) Which Has Not Been Registered to Him in the National Firearms Registration and Transfer Record. Luis Antonio SORIA (DOB XX-XX-2002) violated Title 18 U.S.C. §§ 922(n) and 924(a)(1)(D)- Transport of a Firearm while under Indictment. Bryan Ulysses MARTINEZ (DOB XX-XX-2005) violated Title 26 U.S.C. §§ 5861(j) and 5871- Transport of a NFA Firearm (Silencer) in Interstate Commerce Which Has Not Been Registered in the NFRTR. Marcos ZAMBRANO-RIVERA (DOB XX-XX-2002) violated Title 18 U.S.C. §§ 922(g)(1) and 924(a)(8)- Felon in Possession of Firearm. Darmel Dashun BATEMON (DOB XX-XX-2002) violated Title 18 U.S.C. §§ 922(n) and 924(a)(1)(D)- Transport Firearm while under Indictment. Kalob Nathaniel BURTON (DOB XX-XX-2000) violated Title 18 U.S.C. §§ 922(g)(1) and 924(a)(8)- Felon in possession of Firearm.

6. The crimes occurred in Tulsa, Oklahoma, which is within the Northern District of Oklahoma.

PROBABLE CAUSE

7. On September 16th, 2023, officers with the Tulsa Police Department Impact Unit were performing routine proactive patrol in downtown Tulsa, Oklahoma, in an effort to reduce violent crime. Part of the duties of the PM Impact Unit is to patrol the downtown bar district on Friday and Saturday night. During these patrols, the

PM Impact Unit routinely seizes firearms and narcotics, and encounters criminal street gang members. The PM Impact Unit has investigated shootings, burglaries, robberies, gang-related offenses, assaults, and narcotics conspiracies in the area. PM Impact officers are aware that the downtown area is busier on weekends with members of the public frequenting bars, music concerts, and sporting events.

8. At approximately 1:44 a.m., PM Impact officers were on patrol in the parking lot located to the south of Ruby Red's Nightclub, 321 East Reconciliation Way, Tulsa, Oklahoma. Officers observed five males standing around a black 2008 Dodge Charger (AR Tag APX64Y) and a black 2016 Honda Accord (AR Tag 546ZPF).

9. Officers parked their patrol unit in a nearby alley, out of sight of the parking lot and far enough away from the vehicle that the congregating males could have driven off or walked away if they decided to do so. The officers approached the group on foot and as they approached the group, the males immediately turned away, spread out, and moved away from the vehicles.

10. Officers approached the driver-side vehicle of the Charger and, in plain view, saw multiple high-capacity firearms sitting on the center console. The individuals outside the cars attempted to leave the area and were told to stop. They were identified as Christopher Yahir MARTINEZ (DOB XX/XX/2003), Christopher Marcus SABB (DOB XX/XX/2004), Darmel Dashun BATEMON Jr. (DOB XX/XX/2002), Kalob Nathaniel BURTON (DOB XX/XX/2000), and Luis Gerardo TREJO-ZAMBRANO (DOB XX/XX/2001).

11. The Honda Accord was occupied by three males, Bryan Ulysses MARTINEZ (DOB XX/XX/2005) in the driver's seat, Marcos ZAMBRANO-RIVERA Jr. (XX/XX/2002) in the rear driver's-side seat, and Luis Antonio SORIA (DOB XX/XX/2002) in the rear passenger-side seat. Officers smelled the odor of marijuana coming from inside the vehicle as they approached it. Officers observed in plain view a firearm on the driver-side rear passenger floorboard of the Honda. The eight males were detained for suspicion of being in possession of illegal firearms and possession of firearms while intoxicated.

12. The Honda Accord was searched and officers recovered several firearms, to include a chamber and magazine loaded Walther Arms, IWI Uzi Rifle, Serial #WI018714, from the rear driver-side floor; a magazine loaded Palmetto State Armory, Dagger Compact, Serial #JJE37863, with a silencer attached to the barrel, from the front passenger-side floor; a magazine loaded Romarm/Cugir, Micro Draco, Serial #PMD1829120ROA, from the front passenger-side floor; a chamber and magazine loaded pistol, Glock, Model 27, Serial #XRG993, from the back passenger seat pocket; and a magazine loaded pistol, Glock, Model 19, Serial #BTWU743, from the back passenger seat pocket. Body armor was recovered from the back passenger seat.

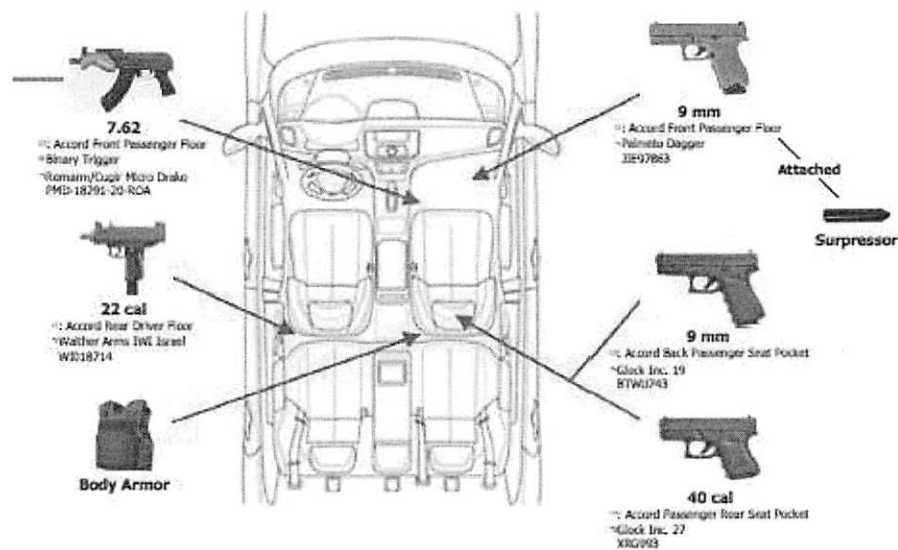


Figure 1 Honda Accord Firearms Location

13. The Dodge Charger was searched and officers recovered several firearms, to include, a chamber and magazine loaded Palmetto State Armory, PA-15, Serial #SCD443583, from top of the center console; a chamber and magazine loaded Zastava, PAP M85 PV, Serial #M85PV001787, from the front passenger seat; a chamber and high-capacity drum magazine loaded Anderson Manufacturing, AM-15 Serial #22021725, from the rear driver-side floor; a chamber and magazine loaded Romarm/Cugir, Micro Draco, Serial #ROA22PMD38632, from the rear passenger-side seat; and a chamber and magazine loaded Century Arms International, VSKA, Serial #SV7P011101, from the rear passenger-side floor.

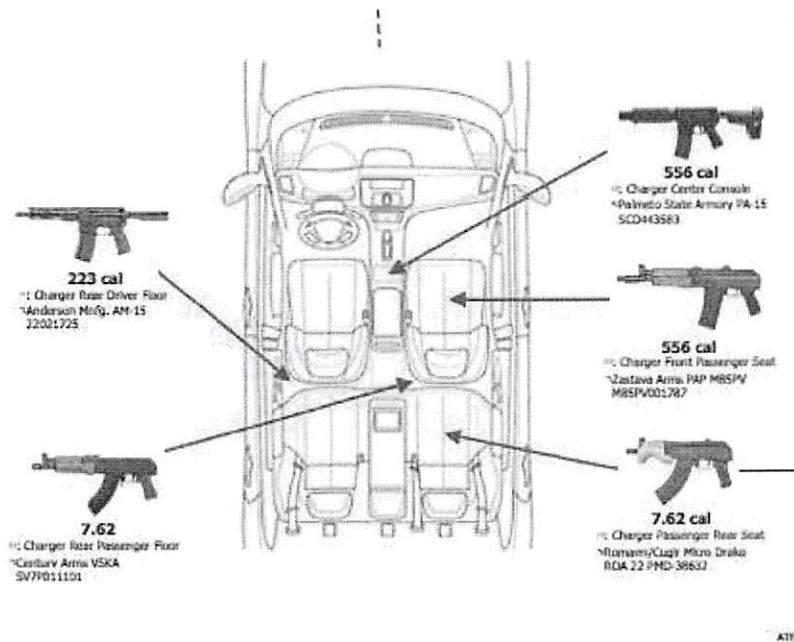


Figure 2 Dodge Charger Firearms Location

14. While securing the firearms, officers observed drug paraphernalia in the black Honda Accord, specifically a rolling tray and a THC vape pen in the driver-side door handle. Based on the totality of the circumstances, officers performed a search of both vehicles. In the Honda Accord, officers recovered a zip lock bag with apparent oxycodone pills from the glovebox, and a plastic bag with several small pieces torn out was recovered from the passenger seat rear pocket. These plastic bags are often used by drug dealers to create bindles to sell drugs. The pills were confirmed as oxycodone by the Tulsa Police Department Forensic Laboratory. From the Dodge Charger, officers located a black backpack in the trunk that contained marijuana, a functional digital scale, an empty .40 caliber pistol magazine, and the wallet for BATEMON.

15. Officers searched the individuals and recovered a small bag of marijuana, from SABB and BATEMON. ZAMBRANO, Bryan MARTINEZ, BATEMON, and SABB all possessed face masks or face coverings. Additionally, they recovered \$3,549 in cash, primarily comprised of \$20 and \$100 bills, from SABB.

16. Officers read Miranda Warnings to all eight males who agreed to provide a voluntary statement. Statements were collected from all eight individuals.

Summaries of the statements are below:

- Christopher SABB: He had a large amount of cash on him because he was recently in a car accident and was paid after a lawsuit; the black Dodge Charger belonged to his brother who lent him the car to come to Tulsa; he came to Tulsa to go to the club; this was his first time coming to Tulsa; he came to Tulsa with all of his friends from Arkansas; he knew all the individuals in the group; none of the guns in his car belonged to him; he knew there were guns scattered all over his car; he did not wish to say who the guns belonged to; he smokes marijuana and the last time he smoked was yesterday; he did not have a medical marijuana card; he did not have a medical condition.
- Marcos ZAMBRANO-RIVERA: He is from Fayetteville, Arkansas; he was in the black Honda Accord; he knew all the other individuals on scene because they were from Arkansas; all of the individuals there were his friends; he came to Tulsa today and planned on making this a day trip; he was going to travel back home after leaving the bar; they

had a couple of drinks in the bar, and they were going to leave; he did not drink or smoke anything that night; he didn't remember what time they arrived at Ruby Red's and that it was still light out when they arrived; he saw the firearms but did not know who they belonged to; all the guns were already there when he was sitting in the car; he was sitting in the "passenger back side;" he was not sure who those pills belonged to; stated he met the individuals not in their car there at the bar; and none of the masks found in the vehicle belonged to him and were already there.

- Christopher MARTINEZ: He believed it was legal to be in possession of marijuana and in possession of a firearm in Arkansas; Arkansas has legalized the use of medical marijuana; he had a medical marijuana card and did not have the card on him; the last time that he smoked marijuana was in the morning and he did not feel intoxicated; he came to Tulsa from Arkansas for the purpose of going to the club with his friend who lives in Oklahoma, Luis TREJO-ZAMBRANO; he did not consume any alcoholic beverages today; the police contacted them before they were able to start drinking; he was the driver of the black Charger; the car belonged to SABB, but he was driving since he had a driver's license; they arrived at Ruby Red's at approximately 0030 hours or 0100 hours; no one in the black Charger was a felon; the Draco with a clear-clip belonged to him; he did not know which gun belonged to

what person; Little Rock was high crime and he has had friends that have been shot; the marijuana located in the black Charger did not belong to him; he did not know who the pills in the black Honda belonged to; and Luis TREJO-ZAMBRANO had a bad drug problem but did not sell the pills.

- Luis SORIA: He is from Arkansas and came to Tulsa to go to the club; they were going to leave for Arkansas the next day; he was in the black Honda; he was seated in the back passenger seat; they had just got to the club; none of the firearms belonged to him; he did not know who the guns belonged to; he did not know who the body armor belonged to; he did see the body armor; the body armor was sitting in the back with him the whole time on their way to Tulsa; he was not a prohibited person; he did not know who the pills belonged to; he was not a drug dealer or user.
- Kalob BURTON: He was dropped off by his brother in the parking lot; he knows a couple of the subjects and just met others; he was not in either of the two cars; he was dropped off by his brother in a Chrysler; he got to Tulsa with his brother, BATEMON; he did not see any guns in the vehicles; his wallet was inside of the black Charger; he threw his wallet in the back passenger window of the Charger but never went inside and never saw any guns; he set his wallet down so he could go

into the club; he does not use drugs; he was on probation and was not supposed to be around guns.

- BATEMON: He was in possession of tobacco; he was only 20 years old; he purchased the vape pen in Arkansas; he arrived at the parking lot of Ruby Red's bar with his brother, BURTON; the two were dropped off by their older brother who left prior to the police encounter; the vehicle he was dropped off in was a Nissan; he was only in the parking lot for 10-15 minutes before police contacted them; he was not in any of the two cars in the parking lot; he is a user of marijuana; he does not have medical marijuana and had no medical condition; he uses marijuana about every two weeks; he last smoked marijuana yesterday; he put his keys in a backpack located in the black Dodge Charger; the backpack was in the back seat behind the passenger seat; he was never in the black Honda; none of the guns belonged to him; he didn't know who the guns belonged to; admitted the marijuana in his pocket belonged to him; he was not a prohibited person; he was recently arrested and released a couple of days ago on a warrant; the warrant was for battery; he did not want to specify what happened.
- Luis TREJO-ZAMBRANO: He knew all the people in the group, they were all friends; he got a ride from Watts, Oklahoma to Tulsa, Oklahoma, by a family member; though he later recanted and stated he was dropped off by a friend; they were hanging out in the parking lot for

approximately 15 minutes before police contacted them; none of the guns belonged to him; he did not know who the guns belonged to; he did not know who the pills belonged to; he was arrested for guns and drugs approximately a year ago; and he lives in Watts, Oklahoma.

- Bryan MARTINEZ: He lives in Springdale Arkansas; he was the driver of the black Honda; the only people he knew in the group were TREJO-ZAMBRANO, SORIA, and ZAMBRANO; they arrived at Ruby Red's at about 0000 hours; TREJO-ZAMBRANO was in the front passenger seat, ZAMBRANO was in the back seat behind the driver, and SORIA was in the back seat in the passenger seat; he did not consume alcohol or drugs; he does not use any illegal substances; he didn't know the individuals in the black Charger, only TREJO-ZAMBRANO knew them; none of the guns found belonged to him; he did know there were guns in his car; the guns were in his car for safety reasons; everyone not in the Honda Accord was in the Charger; he saw them get in and out of the Charger; the pills belonged to SORIA, who is a drug user, and he saw SORIA with this bag previously; TREJO-ZAMBRANO also goes by "Goon" had been robbed recently and the guns were only for protection.

17. All eight males were booked into David L. Moss for various firearms and drug related state and municipal charges.

18. None of the males are members of a Native American tribe.

19. After the individuals were booked into David L. Moss, law enforcement became aware of their connection to several on-going investigations.

20. On September 10, 2023, at approximately 6:59am, Catoosa Police Department responded to the Laquinta Inn and Suites, 2009 South Cherokee Street, Catoosa, Oklahoma. TREJO-ZAMBRANO reported he went with a female, N.R., to the hotel. He got a room with N.R. and fell asleep. TREJO-ZAMBRANO woke up to three men holding guns to his head who took his jewelry and approximately \$1,500 in cash. Catoosa Police observed video surveillance footage from the Laquinta that showed N.R. and TREJO-ZAMBRANO getting a room together going to the second floor. It later shows a male wearing a hoodie walk up to the front desk who waits for N.R. to come down. N.R. holds the elevator while the male lets in two other men wearing hoodies. They go up the elevator to the second floor together.

21. On September 10, 2023, at approximately 10:45 a.m., Catoosa Police officers responded to the Laquinta Inn and Suites to get additional information from TREJO-ZAMBRANO and SORIA. They reported E.D. was upstairs and knew the female involved in the robbery. Officers accompanied TREJO-ZAMBRANO and SORIA to the room and spoke with E.D. who appeared hesitant to speak with them. E.D. asked SORIA for permission to talk about the robbery and after he nodded his head yes. E.D. provided that a group of friends went out to celebrate her eighteenth birthday the night prior. That N.R. was one of the people at the party and had

recently blocked her number. E.D. showed Officer Kinsinger a picture of N.R. and appeared to be nervous. She said she “knew things and did not want to speak on the record” but just wanted to help get TREJO-ZAMBRANO’s property back.

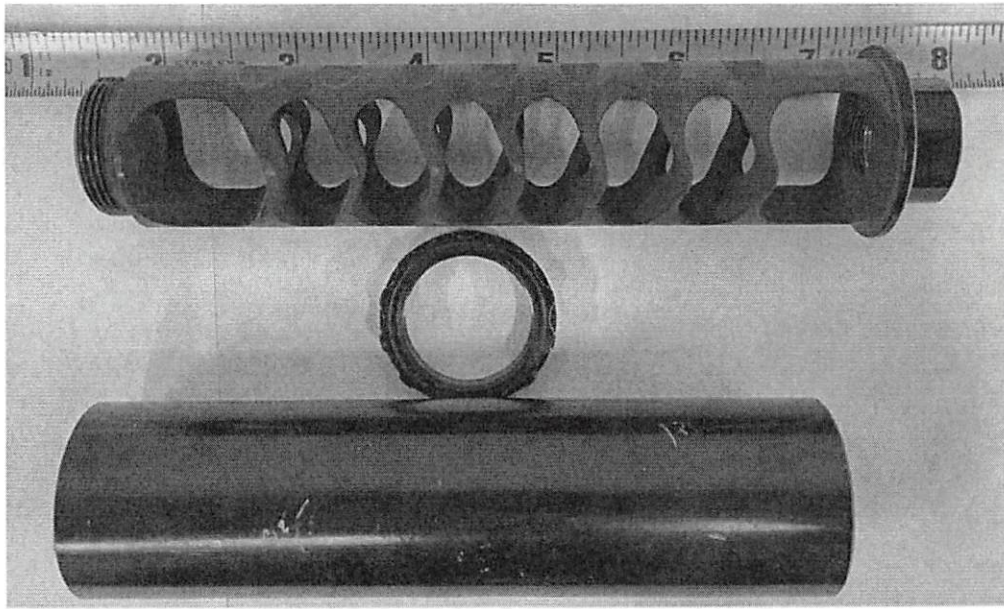
22. On September 10, 2023, at approximately 9:45 p.m., TPD Officer Hart took a report regarding a possible kidnapping of E.D. L.G. reported she was friends with E.D. and they were at Ruby Red Night Club the previous night for E.D.’s birthday. E.D. was with her boyfriend, SORIA, and his friend TREJO-ZAMBRANO. L.G. reported she learned her friend N.R. set up TREJO-ZAMBRANO for a robbery and he thought E.D. was involved. She received several messages that E.D. was not allowed to leave, individuals had guns, and TREJO-ZAMBRANO brought friends from Arkansas to help him get his property back after he was robbed earlier in the day. Officer Hart later made contact with E.D. who did not want to be “listed on paper” and was hesitant to speak with police. E.D. reported she was not kidnapped and was unharmed.

23. Based on my training and experience, it is common that individuals in domestic violence incidents do not want to cooperate with law enforcement about what occurred for a variety of reasons, to include emotional connections and fear of retaliation. People in domestic violence situations will commonly defer to an abuser before speaking with police and often give stories that are inconsistent with what they tell friends and family during an incident.

24. On October 6, 2023, P.G. reported to TPD Det. Shea Duff that she was the manager of a restaurant in Sand Springs, Oklahoma, where N.R. used to work. On September 10, 2023, at approximately 3:17 p.m. a young Hispanic male came into the restaurant looking for N.R. The man was speaking to the several employees about N.R. asking if she was there and when she was working next. The man was persistent and seemed suspicious. The encounter was captured on surveillance footage and shown to N.R. who believed the man was Bryan MARTINEZ.

25. On October 11, 2023, ATF Resident Agent in Charge (RAC) and I viewed the firearms booked under Property Receipt Number BU9984 at the Tulsa Police Property Room. The Palmetto State Armory, Dagger Compact, Serial #JJE37863, with suspected silencer (Item #7) was examined and photographs of the suspected silencer were sent to ATF FEO Eve Eisenbise.





26. On October 11, 2023, FEO Eisenbise provided a preliminary report that the silencer is a common firearm silencer, being a device for silencing, muffling, or diminishing the report of a portable firearm, are each a “firearm silencer” as defined in 18 U.S.C. § 921(a)(25); it a silencer by design, construction, and function; therefore, it is also a “firearm” as defined in 26 U.S.C. § 5845(a)(7). Legal possession of this silencer would require that it be registered in the National Firearms Registration and Transfer Record (NFRTR). Further, that there do not appear to be any marks of identification or serial numbers as required by 26 U.S.C. § 5842. A query was conducted of the NFRTR for all eight males. None of the males had any NFA items registered to them in the NFRTR, and specifically, none of the males had a silencer registered to them. The silencer was not able to be searched as it does not have markings such as a serial number or manufacturer.

29. On October 6, 2023, I searched the Flock license plate reader data base for the 2008 Dodge Charger (AR APX64Y) and 2016 Honda Accord (AR 546ZPF). Both vehicles were captured at the following locations:

- September 15, 2023, 11:10 p.m., at 10850 State Highway 82, Locust Grove, Oklahoma.
- September 16, 2023, 12:03 a.m., East 1st Street/South Lansing Ave, Tulsa, Oklahoma.

27. A Google Maps search for the distance and travel time between 10850 State Highway 82, Locust Grove, Oklahoma, and East 1st Street/South Lansing Ave, Tulsa, Oklahoma, estimated the distance as 47.4 miles with a travel time of 45 minutes. Based on the times and locations of the Flock captures, the vehicles appear to be traveling together.

28. On October 12, 2023, I received security footage from Kum & Go, 701 State Highway 82, Locust Grove, Oklahoma from September 15, 2023, at approximately 11:00 p.m. It shows the Honda Accord and Dodge Charger pull into the property and park at the fuel pumps at 11:10 p.m. Everyone except ZAMBRANO-RIVERA is seen exiting the vehicles and going into the store.





30. The occupants of the vehicles are observed in the following locations:

- Dodge Charger
 - Driver: Christopher MARTINEZ
 - Front Passenger: SABB
 - Rear Driver's Side: BATEMON
 - Rear Passenger Side: BURTON
- Honda Accord:
 - Driver: Bryan MARTINEZ
 - Front Passenger: TREJO-ZAMBRANO
 - Rear Driver's Side: ZAMBRANO-RIVERA
 - Rear Passenger Side: SORIA

31. On October 12, 2023, I searched jail calls for all eight individuals arrested and booked into David L. Moss Criminal Justice Center. On September 16, 2023, BATEMON made the following calls to phone number 501-644-0124 at the following times:

- 1:58 p.m. at approximately 13:35 minutes into the call "Nobody claimed their guns so they just gave us misdemeanors and nobody get

no felonies. The guns I mean, the guns was the other (expletive) with Goon [TREJO-ZAMBRANO]. He got to go to court and take his gun charges.”

- 7:08 p.m. at approximately 15:13 minutes into the call “Yeah, we all ride together. We got our shit at Goon’s house. We dropped some shit off at Goon’s house. That’s what I’m glad about that, like, I’m glad we did that, like when we went to Goon’s house, that’s when we was in Oklahoma. Fuck. Cuz we went to his house and you know, he...he’s...we went to his momma’s house and we dropped a lot of shit off, but a (expletive) didn’t know a lot of shit was still in their car cuz, (expletive) there were so many bags. Yeah, we would have just like, took our time, we rushin’ and shit trying to get to places. We wouldn’t have even got lock up. We would have just had the guns, we would have been straight for sure.”

32. I reviewed the criminal conviction history for the individuals and learned the following:

- Only TREJO-ZAMBRANO had a listed address in Oklahoma in Watts, Oklahoma, which is in Adair County and borders Arkansas. The other individuals reside in Northeast and Central Arkansas. Based on the trajectory of travel, their movement is consistent with traveling from Arkansas to Oklahoma.

- BURTON was convicted of felony Possession of a Scheduled Substance with Purpose to Deliver, and Theft by Receiving in Pulaski County, Arkansas on August 22, 2022, in 60CR-22-1452. He was sentenced to 60 months of probation.
- ZAMBRANO-RIVERA was convicted of felony Possession of a Marijuana with Purpose to Deliver, in Washington County, Arkansas on September 28, 2022, in 72CR-22-15. He was sentenced to 36 months of probation.
- SORIA was indicted and charged with felony Possession of Schedule II Controlled Substance in Washington County, Arkansas on January 11, 2023, in 72CR-23-75.
- BATEMON was indicted and charged with Felony Manslaughter in Pulaski County, Arkansas on September 11, 2023, in 60CR-23-3725.
- On January 11, 2023, I received copies of Coconino County, Arizona Case #CR2022-01012 plea agreement and sentence documents for Luis TREJO-ZAMBRANO. According to the sentencing document, TREJO-ZAMBRANO plead guilty to Possession of Drug Paraphernalia (Cocaine), a Class 6 Undesignated Felony, in violation of A.R.S. §§ 13-3415(A), 13-3401. 13-603. 13-604, 13-701, 13-702, 13-707, 13-801, 13-802, 13-804, 13-804.01, 13-901, 13-902 committed on or about January 4, 2022. TREJO-ZAMBRANO was placed on Standard Probation for a term of two (2)

years starting August 28, 2023. The sentencing document specifically details TREJO-ZAMBRANO cannot possess firearms. TREJO-ZAMBRANO signed the plea agreement on July 3, 2023.

- TREJO-ZAMBRANO was indicted and charged with felony Simultaneous Possession of Drugs and Firearms, Possession of a Schedule VI Controlled Substance with the Purpose to Deliver, Fleeing (by Vehicle with Extreme Indifference), and Possession of Methamphetamine, Heroin, or Cocaine with the Purpose to Deliver in Benton County, Arkansas, on October 3, 2022, in 04CR-22-1564. He was indicted and charged with felony Simultaneous Possession of Drugs and Firearms, Possession of a Schedule II Controlled Substance, Theft by Receiving Firearm Valued at \$2,500, and Possession of a Schedule IV or V Controlled Substance on February 22, 2023, in Washington County, Arkansas in 72CR-23-321.

33. October 12, 2023, I reviewed Firearms Trace Summaries provided by the ATF National Tracing Center (NTC) for the ten (10) firearms seized by Tulsa Police Department on September 16, 2023. The Firearms Trace Summaries provided information, including date, FFL, location, and purchaser, regarding the transfer of a firearm from a Federal Firearms Licensee (FFL) to a purchaser. Nine (9) out of the ten (10) firearms were purchased in Arkansas. The remaining firearm, a Zastava PAP M85 PV, 5.56x45mm, Serial #M85PV001787, was purchased in Missouri.

34. Based on the totality of the circumstances, to include but not be limited to the combined statements, coordinated movements, types and placement of firearms within both vehicles, and location of their arrest, this appears to be a coordinated effort by the suspects to gather firearms, body armor, and masks either to retaliate or kidnap individuals involved with the robbery of TREJO-ZAMBRANO.

35. On January 16, 2024, I interviewed E.D. at the U.S. Attorney's Office in Tulsa, Oklahoma. The following is a summary of information provided by E.D. It is not intended to be a verbatim account of the conversation.

36. E.D. first met Luis SORIA and "Goon" (Luis TREJO-ZAMBRANO) around August 20, 2023. SORIA and TREJO-ZAMBRANO were in Tulsa for a concert, and the following night, they went to Ruby Red night club together. After leaving Ruby Red, E.D., N.R., SORIA, TREJO-ZAMBRANO, and A.LNU went to a hotel.

37. September 9, 2023, was E.D.'s birthday and they had a section at Ruby Red with Luis SORIA and Luis TREJO-ZAMBRANO. While at the club, TREJO-ZAMBRANO paid for drinks with cash. TREJO-ZAMBRANO appeared to have a lot of money.

38. On September 9, 2023, people she has previously associated with Yonaton PEREZ, Anthony RODRIGUEZ, and Anthony BERNAL were also at Ruby Red. At one point, TREJO-ZAMBRANO and SORIA went to the restroom. When they returned, they saw PEREZ, RODRIGUEZ, and BERNAL in their section with E.D. and N.R. which made TREJO-ZAMBRANO upset. After the club closed, E.D. left

with TREJO-ZAMBRANO and SORIA. TREJO-ZAMBRANO dropped off E.D. and SORIA at a Hyatt hotel.

39. On September 10, 2023, at approximately 7:00am, TREJO-ZAMBRANO called SORIA and said he had been robbed. SORIA grabbed E.D.'s purse and checked the hotel room next to theirs. E.D. and SORIA took an Uber to TREJO-ZAMBRANO at the LaQuinta Inn in Catoosa, OK. TREJO-ZAMBRANO called people from Arkansas. Four (4) males and two (2) females arrived in two (2) vehicles. One vehicle was a black Honda passenger car. The males who came from Arkansas brought firearms.

40. The individuals made E.D. ride in the black Honda car and refused to take her home while they looked for N.R.. TREJO-ZAMBRANO was in the front passenger seat and had what E.D. described as a large firearm with a curved magazine and wood parts. The firearm was similar to guns she has seen in "Narco" movies. The driver had a small mustache, thin goatee, possibly a neck tattoo, skinny, and was wearing a shirt, possibly with a Honduran flag. E.D. stated she later saw a booking photo of the driver in the news and said his name was Bryan MARTINEZ. SORIA was sitting on the rear passenger side with a pistol and E.D. sat on his lap. An unknown male with darker skin than the others was seated in the rear middle. The rear driver's side seat male went by "Shorty", had short hair, and was heavier set, and had a large firearm.

41. While in the vehicle looking for N.R., the males made statements along the lines of, "Bitch don't know who she fucked with". The male who went by "Shorty"

said something like, “My hands really itching”, which E.D. believed to be a reference to wanting to do something violent. TREJO-ZAMBRANO said something like, “You don’t know how we are”, and indicated he wanted to pull N.R.’s teeth out. Another statement was made about wanting to put a chili pepper in N.R.’s vagina. They also stated they knew where E.D., N.R., and Y.A. resided.

42. While driving around, the males stopped to purchase ski masks at a merchandise stand near Plaza Santa Cecilia and a yellow taco stand on 21st Street and Garnett in Tulsa, OK. The male who went by “Shorty” suggested the stop.

43. They returned to SORIA’s hotel room. A female entered the room and confronted E.D. and demanded the passcode to her cell phone. SORIA provided the female with E.D.’s passcode. The female suggested taking E.D.’s property and a physical altercation ensued between the female and E.D. E.D. began to yell, and the female told her to calm down and even tried to reconcile. E.D. described the female as having faded red hair in a bun, wore sunglasses, and dated a male who went by “Grifo” (unknown spelling). “Grifo” was in the second vehicle with the female, not the Honda passenger car. E.D. believed “Grifo” to be Marcos ZAMBRANO-RIVERA after seeing his booking photograph in the news.

44. E.D. got into SORIA’s pickup. E.D. told SORIA to take her home, but SORIA said he could not. They eventually stopped at a QuikTrip, and SORIA and one of the females entered the store. When they came back out, the female gave E.D.’s phone to SORIA, and told him to take E.D. home.

45. When E.D. was returned home, she learned the mother of her friend, L.G., had called the police. Officers arrived and spoke with E.D., but she said she did not tell them everything because she feared TREJO-ZAMBRANO, SORIA, and the others and did not want them to see law enforcement at her house.

46. Following the incident, E.D. did not immediately cut ties with SORIA, as she was still afraid of them, and did not want to make them suspicious.

47. E.D. later saw the arrests of TREJO-ZAMBRANO, SORIA, and others in the news. E.D. did not recall ever seeing any of the black males prior to seeing the booking photographs in the news. On the night of their arrests, SORIA did not tell E.D. he was coming to Tulsa until he was already there, which was unusual from their previous encounters. SORIA called E.D. several times and sent messages telling her to come out. E.D. did not meet SORIA that night.

48. Based on the totality of the circumstances and my training and experience, there is circumstantial and direct evidence to support that TREJO-ZAMBRANO, SORIA, ZAMBRANO-RIVERA, MARTINEZ, BATEMON, and BURTON were in Tulsa on September 16, 2023, as retaliation for when TREJO-ZAMBRANO was robbed on September 10, 2023. On September 10, 2023, TREJO-ZAMBRANO contacted people from Arkansas that included MARTINEZ and ZAMBRANO-RIVERA who arrived with firearms to look for retaliation. SORIA, TREJO-ZAMBRANO, MARTINEZ, ZAMBRANO-RIVERA, and other unidentified people would not let E.D. leave and made threats about killing and torturing N.R. and the robbers. They asked E.D. questions about where N.R. lived and worked, and

MARTINEZ went to N.R.'s work and asked about her. After September 10, 2023, SORIA continued to ask E.D. questions about where N.R. and the other robbers lived.


49. On September 16, 2023, the group of SORIA, ZAMBRANO-RIVERA, BATEMON, BURTON, Christopher SABB, Bryan MARTINEZ, and Christopher Martinez admitted to TPD the group traveled from Arkansas to Tulsa that day to go to Ruby Red Night Club, the only place where TREJO-ZAMBRANO and SORIA saw N.R. with the suspects in the robbery. When TPD saw the group in the early hours of September 16, 2023, outside the club, all the firearms were loaded and placed in a condition consistent with rapidly using them. The location of the subjects (in the last known place where N.R. and the suspects who robbed them) each in possession of weapons, body armor and a silencer, would corroborate the information provided by E.D. that the subjects were in Tulsa fully armed and with the intention harming other people.

CONCLUSION

Based on the information set forth in this affidavit, I submit there is probable cause to believe that Luis Gerardo TREJO-ZAMBRANO (DOB XX-XX-2001) violated Title 18 U.S.C. §§ 922(n) and 924(a)(1)(D)- Transport of a Firearm while under Indictment, Title 18 U.S.C. §§ 922(g)(1) and 924(a)(8)- Felon in possession of a Firearm, and Title 26 U.S.C. §§ 5861(d) and 5871- Possession of a NFA Firearm (Silencer) Which Has Not Been Registered to Him in the National Firearms Registration and Transfer Record. Luis Antonio SORIA (DOB XX-XX-2002)

violated Title 18 U.S.C. §§ 922(n) and 924(a)(1)(D)- Transport of a Firearm while under Indictment. Bryan Ulysses MARTINEZ (DOB XX-XX-2005) violated Title 26 U.S.C. §§ 5861(j) and 5871- Transport of a NFA Firearm (Silencer) in Interstate Commerce Which Has Not Been Registered in the NFRTR. Marcos ZAMBRANO-RIVERA (DOB XX-XX-2002) violated Title 18 U.S.C. §§ 922(g)(1) and 924(a)(8)- Felon in Possession of Firearm. Darmel Dashun BATEMON (DOB XX-XX-2002) violated Title 18 U.S.C. §§ 922(n) and 924(a)(1)(D)- Transport Firearm while under Indictment. Kalob Nathaniel BURTON (DOB XX-XX-2000) violated Title 18 U.S.C. §§ 922(g)(1) and 924(a)(8)- Felon in Possession of Firearm.

Respectfully submitted,


Ben Nechiporenko
Special Agent
Bureau of Alcohol, Tobacco, Firearms &
Explosives

Subscribed and sworn via phone on the 19th day of January 2024.


CHRISTINE D. LITTLE
UNITED STATES MAGISTRATE JUDGE